

Message Text

SECRET

PAGE 01 OSLO 03764 031534Z

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ACTION EUR-12

INFO OCT-01 ISO-00 PM-04 SS-15 SP-02 CIAE-00 L-03 OES-06

DODE-00 OC-06 CCO-00 DLOS-06 SAL-01 INR-07 /063 W

----- 116855

R 031414Z AUG 76

FM AMEMBASSY OSLO

TO SECSTATE WASHDC 2230

AMEMBASSY MOSCOW

S E C R E T OSLO 3764

E.O. 11652: GDS

TAGS: EFIS, PLOS, NO

SUBJ: DECLARATION OF SVALBARD FISHERY CONSERVATION ZONE

REF: STATE 187672

1. SUMMARY: DUE TO A FOUL-UP IN OUR LOCAL COMMUNICATIONS CENTER, REFTEL INSTRUCTING US TO DELIVER DIPLOMATIC NOTE ON SVALBARD FISHERIES DID NOT REACH AMBASSADOR PRIOR TO HIS MEETING WITH FRYDENLUND JULY 29. DURING THAT CONSERVATION, FRYDENLUND INDICATED UNCERTAINTY AS TO HOW GON INTENDS TO PROCEED ON SVALBARD FISHERY ZONE. EMBASSY BELEIVES WE SHOULD HOLD OFF NOTIFICATION OF OUR RESERAVATION PENDING CLARIFICATION OF GON INTENTIONS. END SUMMARY.

2. DUE TO TEMPORARY LAPSE IN OUR COMMUNICATIONS CENTER, STATE 187672 DID NOT REACH THE AMBASSADOR PRIOR TO HIS CALL ON FRYDENLUND JULY 29. HE THEREFORE DID NOT DELIVER NOTE TO FOREIGN MINISTER.

3. HOWEVER, AMBASSADOR DID REPEAT TO THE FOREIGN MINISTER OUR CONCERNS OVER NORWEGIAN INTENTIONS TO DECLARE A SVALBARD FISHERY ZONE. FRUDENLUND DEMONSTRATED CONSIDERABLE UNCERTAINTY AS TO EXACTLY WHAT GON'S PRESENT PLANS ARE FOR DECLARING A FISHERIES ZONE AROUND SVALBARD AND WAS APPRENTLY NOT FULLY BRIEFED ON OUR PREVIOUSLY EXPRESSED CONERNS ON THE ISSUE (OSLO 3083 AND PREVIOUS). HE WAS UNCERTAIN WHETHER GON'S PRESENT BUREAUCRATIC SCHEDULE WOULD ALLOW CONSULTATIONS WITH THE USG. MFA HAS PROMISED TO TRY TO CLARIFY THIS

SECRET

SECRET

PAGE 02 OSLO 03764 031534Z

FOR US THIS WEEK.

4. EMBASSY FULLY SUPPORTS DECISION TO ENTER FORMAL RESERVATION ON SVALBARD FISHERY ZONE, AS WE RECOMMENDED IN OUR PREVIOUS ANALYSIS (OSLO 3083). HOWEVER, WE BELIEVE IT WOULD BE A TACTICAL ERROR FOR USG TO ENTER A FORMAL RESERVATION ON THE SVALBARD FISHERIES AT THIS TIME. AS WE NOTED IN OUR ANALYSIS OF THE ISSUE, OUR OBJECTIVE IS TO PERSUADE THE NORWEGIANS TO CONSULT WITH US BEFORE UNILATERALLY ESTABLISHING SUCH A ZONE, RECOGNIZING THAT NORWEGIANS MAY CONSIDER THAT PRIOR CONSULTATIONS COULD WEAKEN THEIR CLAIM TO UNILATERAL SOVEREIGNTY OVER AN ECONOMIC ZONE BEYOND THE TERRITORIAL SEA. WE MUST WEIGH OUR ACTIONS AGAINST THAT OBJECTIVE. THE THREAT THAT WE MAY RESERVE IS CONSIDERABLY MORE USEFUL TO US AS A BARGAINING TOOL THAN THE ACTUAL ACT OF RESERVING. MOREOVER, ONE ARGUMENT WE HAVE USED WITH THE NORWEGIANS IS THAT A UNILATERAL DECLARATION BY THE GON WOULD VIOLATE THE SPIRIT OF THE KISSINGER-FRYDNELUND TALKS IN MAY. WE BELIEVE THAT FOR THE USG TO ENTER A FORMAL RESERVATION NOW WITHOUT WAITING TO HEAR WHETHER THE GON IS WILLING TO CONSULT WITH US LEAVES THE USG OPEN TO PRECISELY THE SAME CRITICISM, I.E., THAT WE ACTED PRECIPITOUSLY WITHOUT TAKING INTO ACCOUNT THE SPIRIT OF PRIOR CONSULTATIONS ESTABLISHED IN THE MAY TALKS, IN ADDITION, WE BELIEVE THAT THE NORWEGIANS WILL BE DISPLEASED WITH THE ISSUANCE OF A FORMAL RESERVATION ON FISHERIES WHICH COULD HAVE IMPLICATIONS OF OUR BILATERAL RELATIONS, ESPECIALLY IF WE TAKE SUCH A DECISION BEFORE KNOWING WHETHER THEY ARE WILLING TO CONSULT. OUR RESERVATION WILL PROBABLY TRIGGER OTHER NATIONS TO ENTER SIMILAR RESERVATIONS, AND WITH THAT IN MIND, WE WONDER IF IT MIGHT NOT BE PRUDENT TO CONSULT WITH NATIONS WHICH, UNLIKE THE U.S., HAVE FISHING INTERESTS IN THE AREA (THE UK AND FRG). IT MIGHT BE BEST FOR USG POINT OF VIEW TO LET ONE OF THEM TAKE THE LEAD ON RESERVING.

5. IN SUM, WE CONTINUE TO BELIEVE THAT AT THE APPROPRIATE TIME THE USG SHOULD MAKE A FORMAL RESERVATION ON THE SVALBARD FISHERIES ZONE IF AND WHEN THE NORWEGIANS TELL US (OR DEMONSTRATE BY ACTION) THAT THEY WILL NOT CONSULT ON THE ISSUE AND INTEND TO ESTABLISH THE ZONE. BUT WE DO NOT BELIEVE WE SHOULD PLAY THIS TRUMP NOW. IT BETTER SERVES OUR PURPOSE TO KEEP THE PRESSURE ON THE GON INFORMALLY NOW, ALWAYS HOLDING OUT THE POSSIBILITY THAT AT A LATER DATE WE MAY ENTER A FORMAL RESERVATION.

SECRET

SECRET

PAGE 03 OSLO 03764 031534Z

6. UNLESS WASHINGTON SEES OTHER ARGUMENTS IN FAVOR OF ENTERING THE RESERVATION NOW, WE RECOMMEND HOLDING OFF AT LEAST UNTIL GON'S INTENTIONS ARE CLEARER AT WHICH POINT WE CAN REEXAMINE THE TACTICAL APPROACH THEN BEST SUITED TO OUR OBJECTIVE.
ANDERS

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